

DECLARATION FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. PLUSP036

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: ACTIVE METAL/AQUEOUS ELECTROCHEMICAL CELLS AND SYSTEMS, the specification of which,

- (check one)
1. ☐ is attached hereto.
 2. ☒ was filed on February 3, 2004 as
U.S. Application No. 10/772,157
and was amended on _____.
 3. ☐ was filed on _____ as
International PCT Application Serial No. _____
and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, CFR §1.56.

Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

			Priority Benefits Claimed?
			Yes No
_____ (Appl. No.)	_____ (Country)	_____ (Date Filed- Day/Month/Year)	Yes No
_____ (Appl. No.)	_____ (Country)	_____ (Date Filed- Day/Month/Year)	Yes No

Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

<u>60/418,899</u> (Application No.)	<u>October 15, 2002</u> (Filing Date)
<u>60/511,710</u> (Application No.)	<u>October 14, 2003</u> (Filing Date)
<u>60/518,948</u> (Application No.)	<u>November 10, 2003</u> (Filing Date)
<u>60/527,098</u> (Application No.)	<u>December 3, 2003</u> (Filing Date)
<u>60/536,688</u> (Application No.)	<u>January 14, 2004</u> (Filing Date)
<u>60/526,662</u> (Application No.)	<u>December 2, 2003</u> (Filing Date)

60/536,689
(Application No.)

January 14, 2004
(Filing Date)

Prior U.S. Application(s)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this applications is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

10/731,771
(Application No.)

December 5, 2003
(Filing Date)

Pending
(Status - patented, pending, abandoned)

10/686,189
(Application No.)

October 14, 2003
(Filing Date)

Pending
(Status - patented, pending, abandoned)

Send Correspondence To:

Customer Number: 022434

022434

Direct Telephone Calls To:

James E. Austin at telephone number (510) 843-6200

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Typewritten Full Name of

Sole or First Inventor: Steven J. Visco

Citizenship: United States of America

Inventor's signature: 

Date of Signature: 4/29/04

Residence: (City) Berkeley

(State/Country) California/USA

Post Office Address: 546 Arlington Avenue, Berkeley, California 94707

Second Inventor: Yevgeniy S. Nimon

Citizenship: United States of America

Inventor's signature: 

Date of Signature: 4/29/04

Residence: (City) Danville

(State/Country) California/USA

Post Office Address: 10 Cross Bridge Place, Danville, California 94526

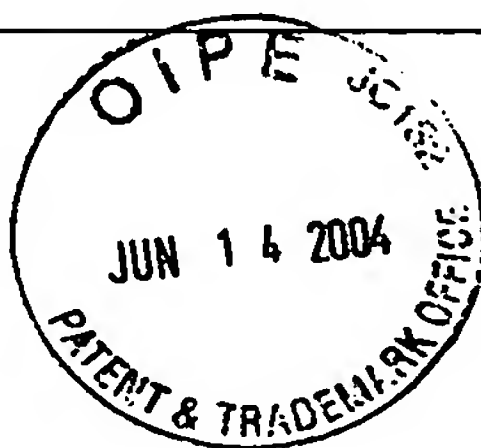
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Visco et al.

Application No.: 10/772,157

Filed: February 3, 2004

Title: ACTIVE METAL/AQUEOUS
ELECTROCHEMICAL CELLS AND SYSTEMS



Attorney Docket No.: PLUSP036

Examiner: Not yet assigned

Group: Not yet assigned

**POWER OF ATTORNEY BY ASSIGNEE, 37 CFR §3.73 STATEMENT, AND EXCLUSION
OF INVENTOR UNDER 37 CFR §3.71**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PolyPlus Battery Company is the assignee of the above-referenced patent application by virtue of an assignment document. The assignment document is/was recorded:

- ☐ at Reel ___, Frame(s) ___
- ☐ on _____
- ☒ submitted concurrently herewith

The assignee represents, pursuant to 37 C.F.R. §3.73(b), that the undersigned is a representative authorized and empowered to sign on behalf of the assignee.

Pursuant to 37 C.F.R. §§1.36 and 3.71, the assignee hereby revokes all powers of attorney previously given and hereby appoints the law firm of Beyer Weaver & Thomas, LLP and all practitioners who are associated with the **Customer Number 022434** as principal attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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022434

Please direct any calls to **James E. Austin** (510) 843-6200.

Further, pursuant to 37 C.F.R. §3.71, the assignee hereby states that prosecution of the above-referenced patent application is to be conducted to the exclusion of the inventor(s).

Assignee of Interest:

PolyPlus Battery Company
2431 Fifth Street, Suite B,
Berkeley, California, 94710

Date 4/27/04

Name:
Title:


May-Ying Chu
Vice President of Operations